



Steven M. Neuhaus
County Executive

Orange County Department of Planning
Submittal Form for Mandatory Review of Local Planning Action
as per NYS General Municipal Law §239-l,m, & n

Referral ID#:
(County use only)

This form is to be completed by the local board having jurisdiction. Submittals from applicants will not be accepted unless coordinated with both the local board having jurisdiction and the County Department of Planning.

Please include all materials that are part of a "full statement" as defined by NYS GML §239-m (i.e. "all materials required by and submitted to the referring body as an application on a proposed action").

Municipality:	Town of Newburgh
Local Referring Board:	Zoning Board of Appeals
Applicant:	BIKES REALTY INC.
Project Name:	Hudson Valley Chrysler Dodge Jeep Ram
Location of Project Site:	200 Auto PARK Place

Tax Map #:	97-2-11.2
Tax Map #:	
Tax Map #:	
Local File No.:	PB Ref 1
Size of Parcel*:	8.4 ACRES

*If more than one parcel, please include sum of all parcels.

Reason for County Review:	ON NYS Route 17K
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Current Zoning District (include any overlays):	IB
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Type of Review:

Comprehensive Plan Update/Adoption

Zoning Amendment

Zoning District Change from _____ to _____

Ordinance Modification (cite section): _____

Local Law

Site Plan Sq. feet proposed (non-residential only): _____

Subdivision Which approval is the applicant currently seeking? SKETCH / PRELIM / FINAL (circle one)

Number of lots proposed: _____

Which approval is the applicant currently seeking? SKETCH / PRELIM / FINAL (circle one)

Special Use Permit

Lot Line Change

Variance AREA / USE (circle one) FRONT YARD 35 FT LANDSCAPE Buffer & Required Buffer

FROM IB TO ADJACENT R-2 RESIDENTIAL ZONE

Other

Is this an update to a previously submitted referral? YES / NO (circle one)

Local board comments or elaboration:	
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Grace Cardone 4/20/15 Chairperson
 Signature of local official Date Zoning Board of Appeals
 Title

Municipal Contact Phone Number: 845-566-4901

If you would like the applicant to be cc'd on this letter, please provide the applicant's address:

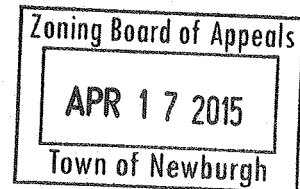
Please return, along with full statement, to: Orange County Dept. of Planning 124 Main St. Goshen, NY 10924
Question or comments, call: 845-615-3840 or email: planning@orangecountygov.com



- Site Planning
- Civil Engineering
- Landscape Architecture
- Land Surveying
- Transportation Engineering
- Environmental Studies
- Permitting
- Construction Services

April 16, 2015

Chairperson Grace Cardone and Members of the Zoning Board of Appeals
Town of Newburgh
Town Hall
308 Gardner Town Road
Newburgh, NY 12550



RE: Town Project #2015-01
JMC Project 14122
Hudson Valley Chrysler Dodge Jeep Ram
200 Auto Park Place
Town of Newburgh, NY

Application for Two Area Variances

Dear Chairperson Cardone and Members of the Zoning Board of Appeals:

We are pleased to submit eleven (11) sets of the following plans and documents for application to the Zoning Board of Appeals for the granting of two (2) area variances associated with the Hudson Valley Chrysler Dodge Jeep Ram facility at 200 Auto Park Place.

1. JMC Drawing SP-3 "Site Layout Plan", revision dated 03/05/2015.
2. Zoning Board of Appeals "Application" signed by the property owner, dated 04/15/2015.
3. "Proxy" signed by the property owner, dated 04/15/2015.
4. Referral letter to Zoning Board of Appeals by the Planning Board, dated 03/27/2015.
5. Certified copy of the Deed of the property, dated 04/07/2015.
6. "Receipt" from the Newburgh Town Clerk for \$200.00, for payment of the Zoning Board of Appeals Application Fee.
7. Four photos of the property.

8. JMC Existing Site Photograph Figures (in gravel lot in residential zone buffer):

PE-2 "Photo Exhibit #2, Rear Lot (view east corner), dated 03/05/2015

PE-3 "Photo Exhibit #3, Rear Lot (southeast corner), dated 03/05/2015

9. Hudson Valley CDJR Dealership, Newburgh, NY, List of Neighbors, dated 03/31/2015
(provided by the Town of Newburgh Accessor's Office) (1 copy).

The project is currently before the Planning Board for an expansion of the existing 14,092 square foot existing showroom service building by 7,831 square feet, for a total building area of 21,923 square feet. The two requested area variances are as follows, and both apply to existing conditions on the property that have been in place for many years and which are to remain.

1. Permit existing parking lot encroachment to remain in required 35 foot front landscape buffer area.
(A 35-foot lawn area exists in the front from the curb of Route 17K to the curb of the parking area.)
2. Permit existing gravel parking lot encroachment to remain within the 100-foot rear and side yard buffer area between IB and R2 districts.
(There is an existing vegetative evergreen buffer to remain at the IB/R2 zoning district boundary which provides heavy, year-round screening between the adjoining uses, as illustrated in photos provided with the application.)

The attached Zoning Board of Appeals Application states our responses as to why the area variances may be granted.

We look forward appearing before the Zoning Board on your next available agenda. In the interim, should you have any questions regarding the application please do not hesitate to contact us at (914) 273-5225.

Thank you.

Sincerely,

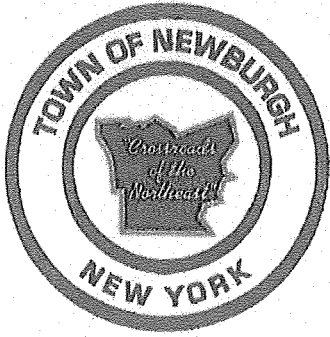
JMC



Joseph Sarchino, RLA
Principal

cc: Mr. Michael Ostrow, Hudson Valley Chrysler Dodge Jeep Ram

f:\2014\14122\lcardone 04-16-2015.docx

**TOWN OF NEWBURGH***Crossroads of the Northeast*ZONING BOARD OF APPEALS
OLD TOWN HALL
308 GARDNERTOWN ROAD
NEWBURGH, NEW YORK 12550**APPLICATION**OFFICE OF ZONING BOARD
(845) 566-4901DATED: 4/08/2015**TO: THE ZONING BOARD OF APPEALS
THE TOWN OF NEWBURGH, NEW YORK 12550**

Birks Realty Inc.

I (WE) John BirkenstockPRESENTLYRESIDING AT NUMBER 2 Park Place, Unit A3A, Orange, NY 12538TELEPHONE NUMBER (845) 797-2501HEREBY MAKE APPLICATION TO THE ZONING BOARD OF APPEALS FOR
THE FOLLOWING:

- A USE VARIANCE
 X AN AREA VARIANCE
 INTERPRETATION OF THE ORDINANCE
 SPECIAL PERMIT

1. LOCATION OF THE PROPERTY:

97-2-11.2 (TAX MAP DESIGNATION)
200 Auto Park Place (STREET ADDRESS)
IB (ZONING DISTRICT)

2. PROVISION OF THE ZONING LAW APPLICABLE, (INDICATE THE SECTION AND SUBSECTION OF THE ZONING LAW APPLICABLE BY NUMBER; DO NOT QUOTE THE LAW).185-18C(4)(c)185-18C(5)(a)



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Crossroads of the Northeast

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OLD TOWN HALL
308 GARDNERTOWN ROAD
NEWBURGH, NEW YORK 12550

3. IF VARIANCE TO THE ZONING LAW IS REQUESTED:

- a) APPEAL IS MADE FROM DISAPPROVAL BY THE TOWN BUILDING INSPECTOR OR BUILDING PERMIT APPLICATION. SEE ACCOMPANYING NOTICE DATED: _____
- b) OR DENIAL (REFERRAL) BY THE PLANNING BOARD OF THE TOWN OF NEWBURGH OF AN APPLICATION TO THE BOARD, SEE ACCOMPANYING NOTICE DATED: 3/27/2015

4. DESCRIPTION OF VARIANCE SOUGHT: 1. Permit existing parking lot encroachment to remain in required 35-foot front landscape buffer area. 2. Permit existing gravel parking lot encroachment to remain within 100-foot rear and side yard buffer area between IB and R2 districts.

5. IF A USE VARIANCE IS REQUESTED: STRICT APPLICATION OF THE ZONING LAW WOULD PRODUCE UNNECESSARY HARDSHIP IN THAT: N/A

- a) UNDER APPLICABLE ZONING REGULATIONS THE APPLICANT IS DEPRIVED OF ALL ECONOMIC USE OR BENEFIT FROM THE PROPERTY IN QUESTION BECAUSE:

(ATTACH WITH THIS APPLICATION COMPETENT FINANCIAL EVIDENCE ESTABLISHING SUCH DEPRIVATION)

- b) THE HARDSHIP IS UNIQUE AND DOES NOT APPLY TO A SUBSTANTIAL PORTION OF THE DISTRICT OR NEIGHBORHOOD BECAUSE:

- c) THE VARIANCE WOULD NOT ALTER THE ESSENTIAL CHARACTER OF THE NEIGHBORHOOD BECAUSE:



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OLD TOWN HALL
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d) THE HARDSHIP HAS NOT BEEN SELF-CREATED BECAUSE:

6. IF AN AREA VARIANCE IS REQUESTED:

a) THE VARIANCE WILL NOT PRODUCE AN UNDESIRABLE CHANGE IN THE CHARACTER OF THE NEIGHBORHOOD OR A DETRIMENT TO NEARBY PROPERTIES BECAUSE:

The variances are for existing non-conformities to remain, and so will not change the character of the neighborhood or be a detriment to nearby properties.

b) THE BENEFIT SOUGHT BY THE APPLICANT CAN NOT BE ACHIEVED BY SOME METHOD, FEASIBLE FOR THE APPLICANT TO PURSUE, OTHER THAN AN AREA VARIANCE, BECAUSE:

Other areas on the property are used for other purposes. Additional areas on-site are not available to relocate parking.

c) THE REQUESTED AREA VARIANCE IS NOT SUBSTANTIAL BECAUSE:

The variances are for existing non-conformities to remain, so do not represent any substantial change from existing conditions.

d) THE PROPOSED VARIANCE WILL NOT HAVE AN ADVERSE EFFECT OR IMPACT ON THE PHYSICAL OR ENVIRONMENTAL CONDITIONS IN THE NEIGHBORHOOD OR DISTRICT BECAUSE:

The variances are for existing non-conformities to remain, which have not had an adverse impact on the physical or environmental conditions in the neighborhood or district.

e) THE HARDSHIP HAS NOT BEEN SELF-CREATED BECAUSE:

The non-conformities have existed for many years.



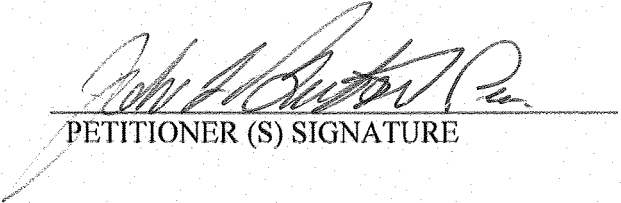
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7. ADDITIONAL REASONS (IF PERTINENT):

Existing vegetative evergreen buffer to remain at IB/R2 zoning district boundary
which provides heavy, year-round screening between the adjoining uses
(see enclosed photo exhibits #2 and #3). A 35 foot lawn area exists in front
from curb of Route 17K to curb of parking area.



PETITIONER (S) SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 15 DAY OF Apr. 2 2015

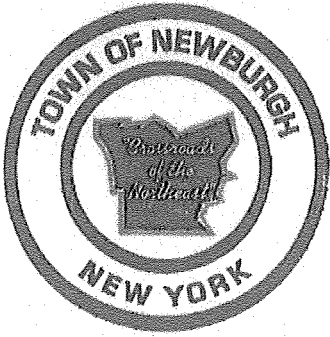


NOTARY PUBLIC

STACEY FRANK
Notary Public, State of New York
Qualified in Orange County
No. 01FR6168013
Commission Expires June 4, 2015

NOTE: NYS GML Section 239-m (3) for proposed actions that are within 500 feet of the properties or thresholds listed in the statute the Zoning Board of Appeals is required to send a copy of the complete application to the Orange County Department of Planning to be reviewed prior to Zoning Board of Appeals decision. And also NYS GML Section 239-NN requires notification for any proposed actions, to the Municipal Clerk, within 500 feet of the Border of that adjoining County, Town or City.

(NOTE: BOARD MEMBERS MAKE SITE VISITS TO ALL THE PROPERTIES)



TOWN OF NEWBURGH

Crossroads of the Northeast

ZONING BOARD OF APPEALS
OLD TOWN HALL
308 GARDNERTOWN ROAD
NEWBURGH, NEW YORK 12550

PROXY

John Birkenstock _____, DEPOSES AND SAYS THAT

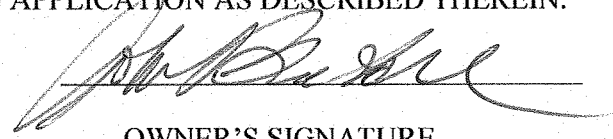
HE/SHE RESIDES AT 2 Park Place, Unit A3A, Newburgh

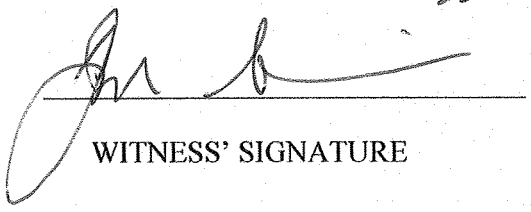
IN THE COUNTY OF Orange AND STATE OF NY

AND THAT HE/SHE IS THE OWNER IN FEE OF _____
200 Auto Park Place, Newburgh, NY

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING APPLICA-
TION AND THAT HE/SHE HAS AUTHORIZED JMC Planning Engineering Landscape
Architecture & Land Surveying PLLC
TO MAKE THE FOREGOING APPLICATION AS DESCRIBED THEREIN.

DATED: 4-15-15


OWNER'S SIGNATURE


WITNESS' SIGNATURE

STATE OF NEW YORK: COUNTY OF ORANGE:

SWORN TO THIS 15 DAY OF April 20 15

STACEY FRANK
Notary Public, State of New York
Qualified in Orange County
No. 01FR6168013
Commission Expires June 4, 20 15


NOTARY PUBLIC

617.20
Appendix B
Short Environmental Assessment Form

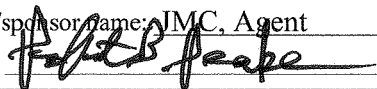
Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information				
Name of Action or Project: Hudson Valley Chrysler Dodge Jeep Ram				
Project Location (describe, and attach a location map): 200 Auto Park Place, Newburgh				
Brief Description of Proposed Action: Expansion of the existing ±14,092 square foot auto showroom and service center by approximately 7,831 square feet, along with reconfiguring the parking and access from Auto Park Place, and landscaping.				
Name of Applicant or Sponsor: Hudson Valley Automotive Enterprises LLC		Telephone: (845) 229-4157 E-Mail: mikecomb@aol.com		
Address: 4312 Albany Post Road				
City/PO: Hyde Park		State: NY	Zip Code: 12538	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO	YES
			X	
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO	YES
Town of Newburgh Building Permit				X
3.a. Total acreage of the site of the proposed action?		4.62	acres	
b. Total acreage to be physically disturbed?		0.98	acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		4.62	acres	
4. Check all land uses that occur on, adjoining and near the proposed action.				
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland				

		NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations?			X	
	b. Consistent with the adopted comprehensive plan?		X	
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		NO	YES	
				X
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____		NO	YES	
		X		
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation service(s) available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?		NO	YES	
		X		
			X	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____		NO	YES	
				X
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____		NO	YES	
				X
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____		NO	YES	
				X
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? b. Is the proposed action located in an archeological sensitive area?		NO	YES	
		X		
		X		
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____		NO	YES	
		X		
		X		
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban				
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? On edge of potential area for rare plants and rare animals per NYCDEC online Environmental Resource Mapper		NO	YES	
				X
16. Is the project site located in the 100 year flood plain?		NO	YES	
		X		
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES Existing Condition b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES To site's existing stormwater management system.		NO	YES	
				X
				X

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____	NO	YES
	X	
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	X	
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	X	
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: JMC, Agent	Date: 4/17/2015	
Signature:  Robert B. Peake, AICP		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?		
2. Will the proposed action result in a change in the use or intensity of use of land?		
3. Will the proposed action impair the character or quality of the existing community?		
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?		
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?		
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?		
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?		
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?		
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?		

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?		
11. Will the proposed action create a hazard to environmental resources or human health?		

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Name of Lead Agency	Date
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

Dickover, Donnelly & Donovan, LLP
Attorneys and Counselors at Law

David A. Donovan
Michael H. Donnelly
Robert J. Dickover

Successor Law Firm To:
Alexander Appelbaum, P.C., Florida, N.Y. (1915-1988)
Ludmerer & Vurno, Esqs., Warwick, N.Y.

28 Bruen Place
P.O. Box 610
Goshen, NY 10924
Phone (845) 294-9447
mail@dddllaw.com
Fax (845) 294-6553
(Not for Service of Process)

March 27, 2015

Town of Newburgh
Zoning Board of Appeals
308 Gardnertown Road
Newburgh, New York 12550

RE: Hudson Valley Chrysler Dodge Jeep Ram 15.01
97-2-11.2 (Zone IB)
200 Auto Park Place

Members of the Board:

I write to you as the attorney for the Town of Newburgh Planning board. The applicant referenced above has applied to the planning board for site plan approval allowing them to expand the showroom and service building of their automobile dealership. In order to accomplish this objective, two variances will be required. The planning board has directed me to prepare this referral letter to you for the following:

- A variance from the requirement of Section 185-18(C)(4)(c) which requires a front yard landscape buffer of 35 feet;
- A variance from the requirements of Section 185-18 (C)(5)(a) which requires a 100 foot buffer from an adjacent residential zoning district.

The planning board has no particular matters to bring to your attention. It appears that both of the determinations by you constitute Unlisted Actions under the New York State Environmental Quality Review Act.

Very truly yours,



MICHAEL H. DONNELLY

MHD/lrm

Cc: Town of Newburgh Planning Board
JMC Site Development Consultants

THIS IS A LEGAL INSTRUMENT AND SHOULD BE EXECUTED UNDER SUPERVISION OF AN ATTORNEY

LIBER 1740 PG 398

This Indenture,

Made the 1st day of April nineteen hundred and sixty-six,

Between GEORGE F. SCHAEFER, residing at (no number) Route 17K, Town of Newburgh, County of Orange, State of New York,

party of the first part,

and BIRKS REALTY, INC., a New York State Corporation with its principal office at 233 Liberty Street in the City of Newburgh, County of Orange, State of New York,

party of the second part,

Witnesseth, that the party of the first part, in consideration of

TEN (\$10.00)-----Dollars,

lawful money of the United States, and other good and valuable consideration

to him in hand paid by the party of the second part

do es hereby grant and release unto the party of the second part,

its successors, heirs and assigns forever,

that certain lot, piece or parcel of land situate in the Town of Newburgh, County of Orange, State of New York, and being more accurately bounded and described as follows:

BEGINNING at a concrete monument in the southerly side of Route 17K, said monument marking the northeast corner of lands now or formerly of EAMES; thence from said point of beginning and along the taking line of Route 17K on the next two courses and distances: south 72 degrees, 17 minutes, forty seconds east 154.50 feet to a pipe; thence south 73 degrees, eighteen minutes 40 seconds east 171.77 feet to a pipe in the westerly line of lands now or formerly of H. LEARY, said pipe being located south 27 degrees, 01 minutes, 20 seconds west 20.37 feet from a concrete monument which marks the northwesterly corner of lands now or formerly of H. LEARY; thence along the line of lands now or formerly of LEARY on the next three courses and distances: south 27 degrees, 01 minutes, 20 seconds, west 171.96 feet to a point; thence south 73 degrees, 18 minutes, 40 seconds east 75.0 feet to a point; thence south 27 degrees, 01 minutes, 20 seconds west 71.0 feet to a point, said point marking the northwest corner of lands conveyed by SCHAEFER to GILLESPIE, as recorded in Book 1068, Page 135, of Orange County Deed Records; thence continuing on the same line along the westerly line of lands of GILLESPIE, south 27 degrees, 01 minutes, 20 seconds west 122.58 feet to a point, said point marking the southwesterly corner of lands of GILLESPIE; thence following the southerly line of lands of GILLESPIE south 73 degrees, 18 minutes, 40 seconds east 75.0 feet to a point which is the southeast corner of lands of GILLESPIE at the westerly side of the northerly end of a 50 foot right-of-way; thence continuing along the same course south 73 degrees, 18 minutes, 40 seconds east 25.0 feet to the center line of said 50 ft wide

right-of-way; thence along the center line of said 50 foot wide right-of-way south 11 degrees, 32 minutes, 40 seconds east 208.88 feet more or less to a point; thence continuing along the center line of said 50 foot wide right-of-way south 26 degrees, 54 minutes, 40 seconds west, 344.14 feet more or less to the north line of lands now or formerly of LAKE VIEW ESTATES, Section B, as shown on Map of LAKE VIEW ESTATES, Section B, filed in the Orange County Clerk's Office; thence along the northerly line of lands now or formerly of LAKE VIEW ESTATES, Section B, north 53 degrees, 39 minutes, 40 seconds west 506.36 feet more or less to a point, said point being in the easterly line of lands now or formerly of EAMES; thence along the easterly line of lands now or formerly of EAMES, north 25 degrees, 02 minutes east 739.08 feet to the point of beginning.

ALSO granting to the party of the second part, its successors, heirs and assigns a perpetual easement and right-of-way for purposes of ingress, egress and regress over that certain right-of-way as the same now exists, which right-of-way shall be used in common with the party of the first part and others leading from the south side of Route 17K between lands now or formerly of BELL, SCHIMPF and GILLESPIE, for a width of 30 feet, and continuing for a width of 50 feet along the easterly line of the above-described premises to a point in the northerly line of lands now or formerly of LAKE VIEW ESTATES, together with the obligation on the part of the party of the second part, its successors, heirs and assigns, to bear equally with the other users of said right-of-way the cost to maintain the said right-of-way. This grant of easement and right-of-way shall not restrict or prevent the party of the first part from dedicating and conveying the fee to the right-of-way aforesaid to the Town of Newburgh, Orange County, as and for a public right-of-way.

The aforesaid 50 foot wide right-of-way is more particularly described as follows:

BEGINNING at a point which is the southeast corner of lands conveyed by SCHAEFER to GILLESPIE, in Liber 1088 of Deeds at Page 135, Orange County Clerk's Office, and running thence south 73 degrees, 18 minutes, 40 seconds east 50 feet to a point; thence south 11 degrees, 32 minutes, 40 seconds west 210 feet to a point; thence continuing partly along the westerly line of lands of LEARY and SCHAEFER south 26 degrees, 54 minutes, 40 seconds west 350 feet more or less to the northerly line of lands now or formerly of LAKE VIEW ESTATES; thence along said northerly line of lands of LAKE VIEW ESTATES north 53 degrees, 39 minutes, 40 seconds west 50 feet to a point; thence north 26 degrees, 54 minutes, 40 seconds east 333.14 feet to a point; thence north 11 degrees, 32 minutes, 40 seconds east 210 feet more or less to the point of beginning.

SUBJECT to grants, easements and restrictions of record, if any.

BEING a portion of the premises conveyed to GEORGE F. SCHAEFER and EMMA SCHAEFER, husband and wife, by FREDERICK W. SCHAEFER by Deed dated July 2, 1925, and recorded in the Orange County Clerk's Office in Liber 662 of Deeds at Page 104 on March 2, 1926, the said EMMA SCHAEFER having died on June 18, 1933, in the Town of Newburgh, New York, leaving the party of the first part herein her surviving.

Together with the appurtenances and all the estate and rights of the party of the first part in and to said premises.

To have and to hold the premises herein granted unto the party of the second part, its successors, heirs and assigns forever,

And the said part Y of the first part covenant s as follows:

First.—That the party of the first part is seized of the said premises in fee simple, and has good right to convey the same,

Second.—That the part y of the second part shall quietly enjoy the said premises;

Third.—That the said premises are free from incumbrances; except as aforesaid.

Fourth.—That the part y of the first part will execute or procure any further necessary assurance of the title to said premises;

Fifth.—That the part y of the first part will forever warrant the title to said premises.

Sixth.—That the grantor, in compliance with Section 13 of the Lien Law, covenants that the grantor will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and that the grantor will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

In Witness Whereof, the part y of the first part has hereunto set his hand and seal the day and year first above written.

In presence of:

[Handwritten signature]

no stamp of seal

George F. Schaefer L. S.

..... L. S.

..... L. S.

..... L. S.

State of NEW YORK
County of ORANGE

} ss:

On the 1st day of April nineteen hundred and sixty-six
before me came GEORGE F. SCHAEFER

to me known and known to me to be the individual described in, and who executed, the foregoing instrument, and acknowledged to me that he executed the same.

[Handwritten signature]

State of } ss:
County of }

On the _____ day of _____ nineteen hundred and _____
before me came

to me known and known to me to be the individual described in, and who executed, the foregoing instrument, and acknowledged to me that he executed the same.

State of } ss:
County of }

On the _____ day of _____ nineteen hundred and _____
before me came _____ the subscribing
witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly
sworn, did depose and say that he resides in

that he knows

to be the individual described in, and who
executed the foregoing instrument; that he, said subscribing witness, was present, and saw
execute the same; and that he, said witness, at the same time subscribed his name as witness thereto.

GEORGE F. SCHAEFFER

TO

BIRKS REALTY, INC.

Bill?

DEED
WARRANTY

Dated, April 1, 1966

The land affected by the within instru-
ment lies in *Orange County*

CLERK
RECORD AND RETURN TO

Scott & Hoyt
723 Liberty Street
Newburgh, N.Y.

550

Reserve this space for use of Recording Office.

STATE OF NEW YORK (COUNTY OF ORANGE) SS:
I, ANN G. RABBITT, COUNTY CLERK AND CLERK OF THE
SUPREME AND COUNTY COURTS, ORANGE COUNTY, DO
HEREBY CERTIFY THAT I HAVE COMPARED THIS COPY WITH
THE ORIGINAL THEREOF FILED OR RECORDED IN MY OFFICE
ON *4-1-1966* AND THE SAME IS A CORRECT
TRANSCRIPT THEREOF. IN WITNESS WHEREOF, I HAVE
HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL.

Ann G. Rabbitt 4-7-2015

COUNTY CLERK & CLERK OF THE SUPREME COUNTY COURTS,
ORANGE COUNTY

LIBER 1740 PG 401

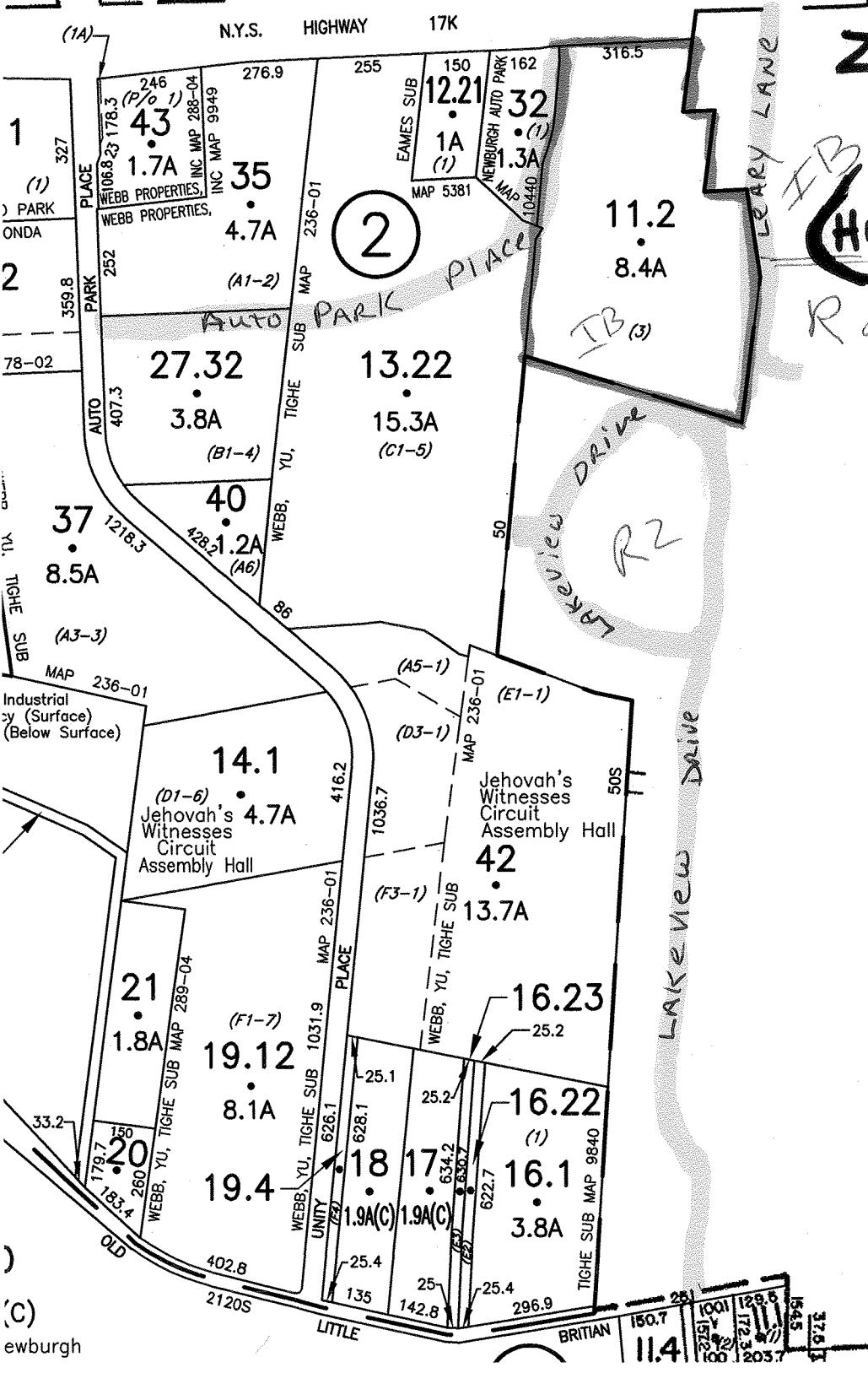
Orange County Clerk's Office, s.s.
Recorded on the _____ day
of _____ 1966 at _____
o'clock _____ M. in Liber _____
and Examined. _____

Ann G. Rabbitt

DISTRICT 4 1.1A-10.1
232S 100S 93.5 348.5 244.8 171.1

BIRKS Realty
200 AutoPARK Pl
97-2-11.2

Hudson Valley Chrysler
Dodge Jeep Ram
SECTION 100



SECTION 101
B

OLD Little BRITAIN ROAD
13
6.8A
Newburgh
Congregation o
Jehovah Witne

BIRKS

Section
- 100 -

(A)

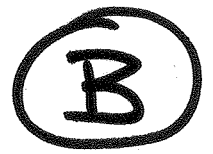
97-2-1/2
SECTION 97
Birks
Realty
HV Chrysler



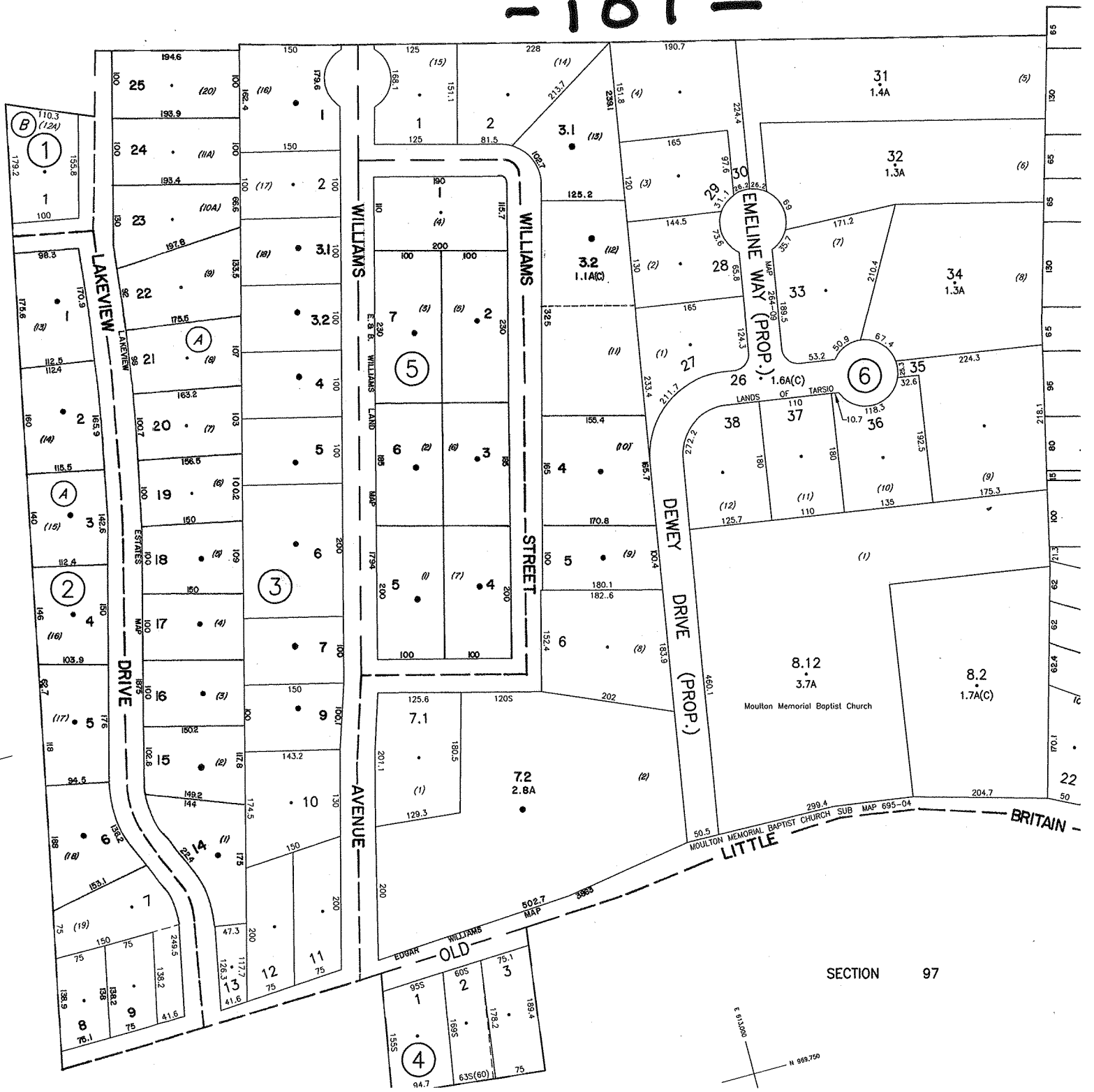
SECTION 101

SECTION 101

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Section - 101 -



SECTION 97